



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

DIVISION OF REGIONAL OFFICES
WESTCHESTER REGIONAL OFFICE

June 28, 2022

Via ECF

Honorable Nelson S. Román
United States District Judge
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

USDC SDNY
DOCUMENT
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DATE FILED: 6/28/2022

Re: *Girard v. Collado s/h/a Collao et. al.*, 18-cv-2026 (NSR)

Dear Judge Román:

This Office represents Defendants Jaifa Collado, Superintendent, sued herein as C.O. Collao, Lt. Murphy, C.O. Staples, Dr. Bentivegna, Supt. Thomas Griffin, and Dr. Yelena Korobkova (sued herein as Helena Korobkovna). I write to respectfully request an adjournment of the briefing schedule set by the Court in its order dated June 3, 2022, in which the Court granted Defendants permission to move to dismiss the fourth amended complaint (ECF No. 98).

The Court's current order directs Defendants to serve their moving papers on or before July 4, 2022, Plaintiff to serve opposition papers on or before August 3, 2022, and Defendants to serve reply papers on or before August 18, 2022. *Id.*

I request the Defendants' time to serve their moving papers be extended to October 30, 2022. I request this adjournment because I was recently assigned to this case, and need the time to review the file and effectively prepare the motion, and balance my other pending cases. This is Defendants' first request for an adjournment pertaining to the motion to dismiss the fourth amended complaint.

Respectfully submitted,

Terrance K. DeRosa

Terrance K. DeRosa
Assistant Attorney General
914-422-8724

MEMO ENDORSED

Hon. Nelson S. Román

June 28, 2022

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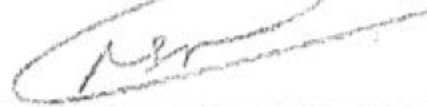
cc: Chauncey Girard
DIN No. 11-A-1352
Plaintiff Pro Se
Franklin Correctional Facility
P.O. Box 10
Malone, New York 12953

Defendants' request for an extension is granted. The briefing schedule is amended as follows: Defendants' moving papers shall be served (not filed) on or before October 31, 2022; Plaintiff's opposition papers shall be served (not filed) on or before November 30, 2022; Defendants' reply papers shall be served on or before December 15, 2022. All motion documents shall be filed by Defendants on the reply date, December 15, 2022.

The Clerk of Court is kindly directed to terminate the motion at ECF No. 100, send a copy of this endorsement to the pro se plaintiff, and show service on the docket.

Dated: June 28, 2022
White Plains, NY

SO ORDERED:



NELSON S. ROMÁN
United States District Judge